

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Nordine CHEIKH *et al*

Appl. No. 09/237,183

Filed: January 26, 1999

For: **Nucleic Acid Molecules and Other
Molecules Associated with the
Sucrose Pathway**



Art Unit: 1631

Examiner: A. Marschel

Atty. Docket: 16517.228/38-21(15089)B

#18
Plunkett

45/2/02

Response to Office Action

Commissioner for Patents
Washington, D.C. 20231

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TECH CENTER 1600/2900

Sir:

In response to the Office Action mailed January 29, 2002 (paper number 17),
Applicants submit the following remarks:

Remarks

I. The Restriction Requirement

In the Office Action at page 2, the Examiner reiterated the finality of the restriction requirement imposed originally in the Office Action of October 4, 2000 (paper number 6). Applicants respectfully disagree, however to facilitate prosecution non-elected claims 3-6 have been cancelled in Applicants' previous Amendment filed November 14, 2001.

It appears in the Office Action at page 1 that the Examiner has imposed a restriction requirement applicable to claims 1, 2 and 7-17. However, the Examiner has not explained this requirement in any other part of the Office Action. Applicants respectfully request clarification on this issue.